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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,159	04/26/2000	Atsushi Ando	32626	1830

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EXAMINER	
LONSBERRY, HUNTER B	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/559,159	ANDO ET AL.	
	Examiner	Art Unit	
	Hunter B. Lonsberry	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 November 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 April 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Arguments

1) Applicant argues that neither of the cited references disclose "control means for determining an area of the still picture data coded into the compressed moving picture data in response to a manipulation made from the user terminal and for notifying the determined area to the moving picture coding means." And that the Gabriel discloses a zoom feature, but does not have a motion vector, thus the zoom is already in the video image, it is not the result of a manipulation from a user terminal. (Page 7)

Regarding applicant's argument 1, the Examiner directs the applicant to column 7, lines 15-19, where Gabriel notes that there is a motion vector, and that the motion vector's value is zero, additionally Gabriel notes that a translational movement may be preformed, and that all of the motion vectors point in the same direction (column 7, lines 26-34). Thus Gabriel does teach control means for determining an area of the still picture data coded into the compressed moving picture data in response to a manipulation made from the user terminal and for notifying the determined area to the moving picture coding means."

2) Applicant argues that the examiner has not provided proper motivation to combine the Riek and Gabriel references.

Regarding applicant's argument 2, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation

to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Riek and Gabriel disclose MPEG video systems. Combining Riek and Gabriel would result in a MPEG video system which displays still video images and utilizes a zooming and translation function. The use of an MPEG zoom feature and an MPEG still feature is well known in the art, for example a DVD player remote control may contain both a pause button and a zoom button, which enables a viewer to both stop the video and to magnify an image in order to better view an object or portion of video. It would be both beneficial and highly desirable to combine the zoom feature of Gabriel to Riek in order to better view a portion of the delivered video.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over by U.S. Patent 5,987,179 to Riek in view of U.S. Patent 5,973,755 to Gabriel.

Regarding claims 1 and 2, Riek discloses a storage device 26, which may be a hard disc, DVD or a memory card, on which MPEG compressed still images are stored,

both MPEG video and stills can be reproduced from the same source utilizing additional p frames, each image may also have a number of enhancement pictures associated with it which are utilized to increase the quality of the image upon playback, the level of image quality if variable and dependant on the number of enhancement images, a display device 24 is utilized to playback video and stills (column 4, line 15-column 5, line 56, column 6, lines 7-16, 25-41, column 7, line 6-column 8, line 17). Riek does not disclose determining an area of a still picture in response to a manipulation from the user terminal and notifying the determined area to the moving picture coded means. Gabriel discloses an MPEG system in which a user may zoom in on a number of macroblocks, the coordinates of each macroblock is determined and stored in decoder memory (column 6, line 66-column 7, line 25). Therefore it would have been obvious to one skilled in the art at the time of invention to modify Riek to include the zoom function of Gabriel thereby enabling a user to see additional detail on an interesting image.

Regarding claims 3 and 6, Riek discloses a storage device 26, which may be a hard disc, DVD or a memory card, on which MPEG compressed still images are stored (column 4, line 15-column 5, line 56, column 6, lines 7-16, 25-41, column 7, line 6-column 8, line 17). Riek/Gabriel do not disclose transmitting audio along with MPEG information to a user terminal. The examiner takes official notice that audio may be part of an MPEG stream and transmitted to a user device. Therefore it would have been obvious to one skilled in the art at the time of invention to modify Riek/Gabriel to transmit audio along with the MPEG data thereby providing an audio track to accompany the video images.

Regarding claims 4 and 5, Riek discloses a storage device 26, which may be a hard disc, DVD or a memory card, on which MPEG compressed still images are stored, both MPEG video and stills can be reproduced from the same source utilizing additional p frames, each image may also have a number of enhancement pictures associated with it which are utilized to increase the quality of the image upon playback, the level of image quality if variable and dependant on the number of enhancement images, a display device 24 is utilized to playback video and stills (column 4, line 15-column 5, line 56, column 6, lines 7-16, 25-41, column 7, line 6-column 8, line 17). Riek inherently includes reproducing means for reproducing the contents data as Riek discloses playback the video and still images on display 24 (column 4, lines 15-34). Riek does not disclose determining an area of a still picture in response to a manipulation from the user terminal and notifying the determined area to the moving picture coded means. Gabriel discloses an MPEG system in which a user may zoom in on a number of macroblocks, the coordinates of each macroblock is determined and stored in decoder memory (column 6, line 66-column 7, line 25). Therefore it would have been obvious to one skilled in the art at the time of invention to modify Riek to include the zoom function of Gabriel thereby enabling a user to see additional detail on an interesting image.

Claims 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over by U.S. Patent 5,987,179 to Riek in view of U.S. Patent 5,973,755 to Gabriel, U.S. Patent 6,470,378 to Tracton and U.s. Patent 6,536,043 to Guedalia.

Regarding claims 7 and 12, Riek discloses a storage device 26, which may be a hard disc, DVD or a memory card, on which MPEG compressed still images are stored, both MPEG video and stills can be reproduced from the same source utilizing additional p frames, each image may also have a number of enhancement pictures associated with it which are utilized to increase the quality of the image upon playback, the level of image quality if variable and dependant on the number of enhancement images, a display device 24 is utilized to playback video and stills (column 4, line 15-column 5, line 56, column 6, lines 7-16, 25-41, column 7, line 6-column 8, line 17). Riek does not disclose determining an area of a still picture in response to a manipulation from the user terminal and notifying the determined area to the moving picture coded means or the use of a mobile terminal or a stepwise video quality. Gabriel discloses an MPEG system in which a user may zoom in on a number of macroblocks, the coordinates of each macroblock is determined and stored in decoder memory (column 6, line 66-column 7, line 25). Tracton discloses an MPEG system which takes into account the processor capabilities of a device and its bandwidth prior to transmitting an MPEG stream; the stream may be received at a mobile device such as a cellular phone (column 4, lines 33-49, column 5, lines 12-46, column 6, lines 50-column 8, line 5). Guedalia discloses a system which delivers different versions of video content depending upon the available bandwidth, as time goes on, or as a video is replayed, the video quality improves (column 20, line 57-column 23, line 57, column 24, lines 30-56). Therefore it would have been obvious to one skilled in the art at the time of invention to modify Riek to include the zoom function of Gabriel thereby enabling a user to see

additional detail on an interesting image and to deliver scalable MPEG content to a mobile phone, as taught by Tracton enabling a user to view video from any location and to use the scalable video system of Guedalia in order to improve the video quality over time in a limited bandwidth system.

Regarding claims 8 and 15, Guedalia discloses a system which delivers different versions of video content depending upon the available bandwidth, as time goes on, or as a video is replayed, the video quality improves (column 20, line 57-column 23, line 57, column 24, lines 30-56).

Regarding claims 9-11, Tracton discloses that the mobile terminal may be a portable telephone (column 7, lines 14-34).

Regarding claims 13, 14, and 16, Riek discloses a storage device 26, which may be a hard disc, DVD or a memory card, on which MPEG compressed still images are stored, both MPEG video and stills can be reproduced from the same source utilizing additional p frames, each image may also have a number of enhancement pictures associated with it which are utilized to increase the quality of the image upon playback, the level of image quality if variable and dependant on the number of enhancement images, a display device 24 is utilized to playback video and stills (column 4, line 15-column 5, line 56, column 6, lines 7-16, 25-41, column 7, line 6-column 8, line 17). Riek does not disclose determining an area of a still picture in response to a manipulation from the user terminal and notifying the determined area to the moving picture coded means or the use of a mobile terminal or a stepwise video quality. Gabriel discloses an MPEG system in which a user may zoom in on a number of macroblocks, the

coordinates of each macroblock is determined and stored in decoder memory (column 6, line 66-column 7, line 25). Tracton discloses an MPEG system which takes into account the processor capabilities of a device and its bandwidth prior to transmitting an MPEG stream; the stream may be received at a mobile device such as a cellular phone (column 4, lines 33-49, column 5, lines 12-46, column 6, lines 50-column 8, line 5). Guedalia discloses a system which delivers different versions of video content depending upon the available bandwidth, as time goes on, or as a video is replayed, the video quality improves (column 20, line 57-column 23, line 57, column 24, lines 30-56). Therefore it would have been obvious to one skilled in the art at the time of invention to modify Riek to include the zoom function of Gabriel thereby enabling a user to see additional detail on an interesting image and to deliver scalable MPEG content to a mobile phone, as taught by Tracton enabling a user to view video from any location and to use the scalable video system of Guedalia in order to improve the video quality over time in a limited bandwidth system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,496,980 B1 to Tillman: Method of Providing Replay on Demand for Streaming Digital Multimedia.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

HBL

VICTOR R. KOSTAK
PRIMARY EXAMINER